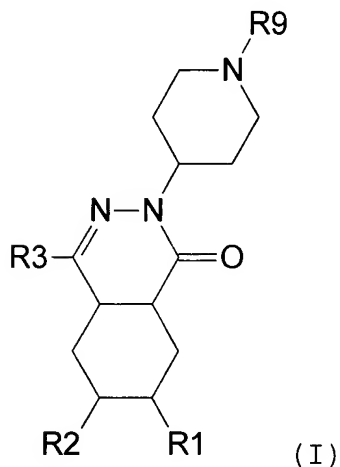


DT05 Rec'd PCT/PTO 03 FEB 2005

Appendix AClaim Amendments

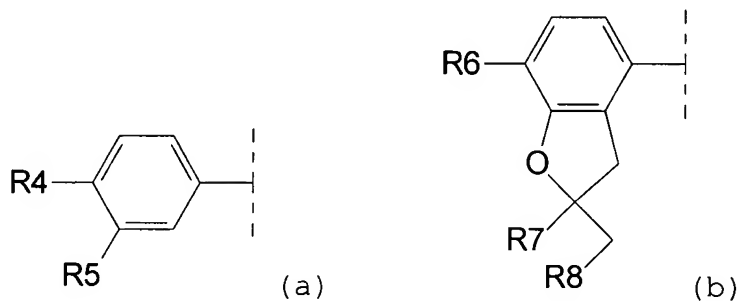
1. (Currently amended) ~~Compounds~~ A compound of formula I



in which

R1 and R2 are both hydrogen or together form an additional bond,

R3 represents a phenyl derivative of formulae (a) or (b)



wherein

R4 is 1-4C-alkoxy or 1-4C-alkoxy which is completely or predominantly substituted by fluorine,

R5 is 1-4C-alkoxy, 3-7C-cycloalkoxy, 3-7C-cycloalkylmethoxy, or 1-4C-alkoxy which is completely or predominantly substituted by fluorine,

R6 is 1-4C-alkoxy or 1-4C-alkoxy which is completely or predominantly substituted by fluorine,

R7 is 1-4C-alkyl and

R8 is hydrogen or 1-4C-alkyl,

or wherein

R7 and R8 together, and with inclusion of the two carbon atoms[[,]] to which they are bonded, form a spiro-linked 5-, 6- or 7-membered hydrocarbon ring, optionally interrupted by an oxygen or ~~sulphur~~ sulfur atom,

R9 is $-C(O)-(CH_2)_n-R_{10}$,

wherein

R10 is pyrrolidine-2,5-dione-1-yl,

n is an integer from 1 to 4,

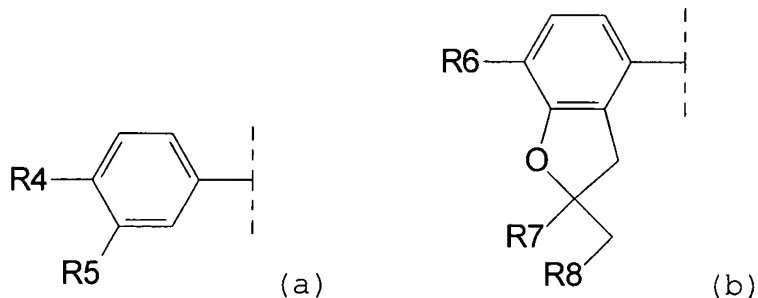
~~and the salts of these compounds~~

or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt thereof.

2. (Currently amended) ~~Compounds~~ A compound of formula I according to claim 1 in which

R1 and R2 are both hydrogen or together form an additional bond,

R3 represents a phenyl derivative of formulae (a) or (b)



wherein

R4 is 1-2C-alkoxy or 1-2C-alkoxy which is completely or predominantly substituted by fluorine,

R5 is 1-2C-alkoxy or 1-2C-alkoxy which is completely or predominantly substituted by fluorine,

R6 is 1-2C-alkoxy or 1-2C-alkoxy which is completely or predominantly substituted by fluorine,

R7 is methyl and

R8 is hydrogen,

or wherein

R7 and R8 together, and with inclusion of the two carbon atoms[[,]] to which they are bonded, form a spiro-linked cyclopentane, cyclohexane, tetrahydrofurane or tetrahydropyran ring,

R9 is $-C(O)-(CH_2)_n-R10$,

wherein

R10 is pyrrolidine-2,5-dione-1-yl,

n is an integer from 1 to 2,

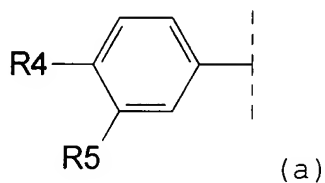
~~and the salts of these compounds~~

or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt thereof.

3. (Currently amended) ~~Compounds~~ A compound of formula I according to claim 1 in which

R1 and R2 together form an additional bond,

R3 represents a phenyl derivative of formula (a)



wherein

R4 is 1-2C-alkoxy,

R5 is 1-2C-alkoxy,

R9 is $-C(O)-(CH_2)_n-R10$,

wherein

R10 is pyrrolidine-2,5-dione-1-yl and

n is 1,

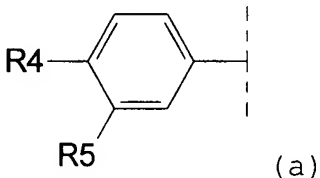
~~and the salts of these compounds~~

or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt thereof.

4. (Currently amended) ~~Compounds~~ A compound of formula I according to claim 1 in which

R1 and R2 together form an additional bond,

R3 represents a phenyl derivative of formula (a)



wherein

R4 is methoxy,

R5 is methoxy,

R9 is $-C(O)-(CH_2)_n-R10$,

wherein

R10 is pyrrolidine-2,5-dione-1-yl and

n is 1,

~~and the salts of these compounds~~

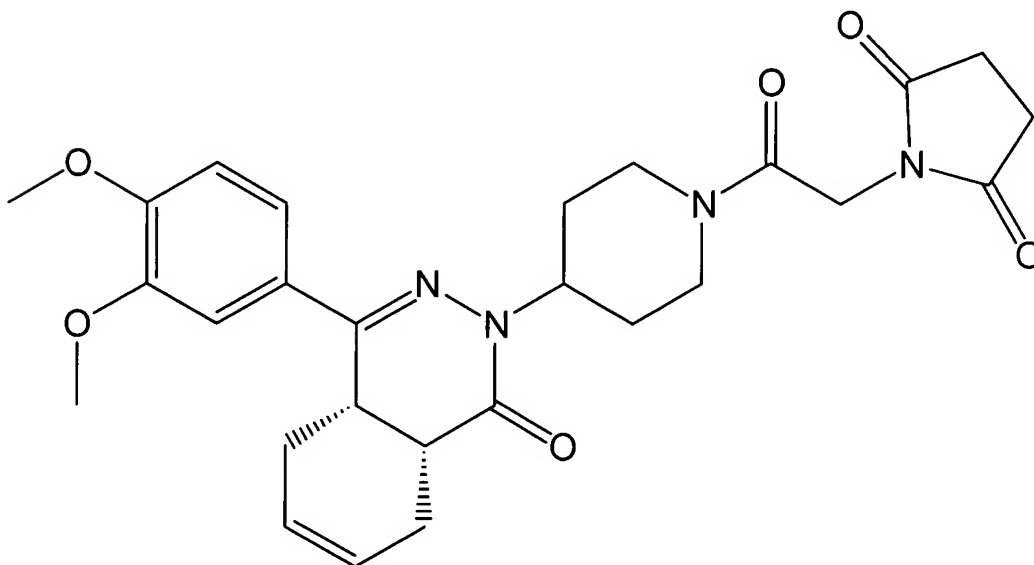
or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt thereof.

5. (Currently amended) ~~Compounds~~ A compound of formula I according to claim 1 ~~any of the claims 1 to 4~~, in which

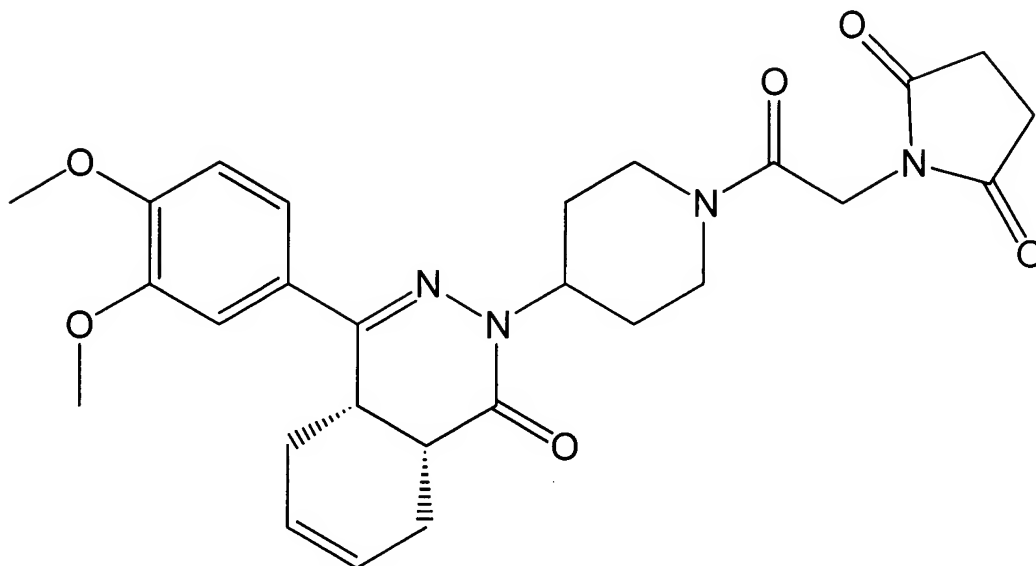
the hydrogen atoms in the positions 4a and 8a are cis-
configured, or a hydrate, solvate, salt, hydrate of a
salt or solvate of a salt thereof.

6. (Currently amended) ~~Compounds~~ A compound of formula I
according to claim 1 ~~any of the claims 1 to 4~~, in which
the absolute configuration is S in the position 4a and R
in the position 8a, or a hydrate, solvate, salt, hydrate
of a salt or solvate of a salt thereof.

7. (Original) A compound of formula I according to claim
1 with the chemical formula



8. (Currently amended) A compound of formula I according to claim 1 with the chemical formula



~~and the salts of this compound~~

or a hydrate, solvate, salt, hydrate of a salt or solvate
of a salt thereof.

9. (Original) A compound of formula I according to claim 1 with the chemical name 1-(2-{4-[(4aS,8aR)-4-(3,4-Dimethoxy-phenyl)-1-oxo-4a,5,8,8a-tetrahydro-1H-phthalazin-2-yl]-piperidin-1-yl}-2-oxo-ethyl)-pyrrolidine-2,5-dione.

10. (Currently amended) A compound of formula I according to claim 1 with the chemical name 1-(2-{4-[(4aS,8aR)-4-(3,4-Dimethoxy-phenyl)-1-oxo-4a,5,8,8a-tetrahydro-1H-phthalazin-2-yl]-piperidin-1-yl}-2-oxo-ethyl)-pyrrolidine-2,5-dione ~~and the salts of this compound~~ or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt thereof.

11. (Currently amended) A process of preparing a compound comprising reacting ~~Compound obtainable by the reaction of~~ (4aS,8aR)-4-(3,4-Dimethoxy-phenyl)-2-piperidin-4-yl-4a,5,8,8a-tetrahydro-2H-phthalazin-1-one hydrochloride with 1-(2-chloro-ethanoyl)-pyrrolidine-2,5-dione in the presence of a base.

12. (Currently amended) A process of preparing 1-(2-{4-[(4aS,8aR)-4-(3,4-Dimethoxy-phenyl)-1-oxo-4a,5,8,8a-tetrahydro-1H-phthalazin-2-yl]-piperidin-1-yl}-2-oxo-ethyl)-pyrrolidine-2,5-dione ~~obtainable by the reaction of~~ comprising reacting (4aS,8aR)-4-(3,4-Dimethoxy-phenyl)-2-piperidin-4-yl-4a,5,8,8a-tetrahydro-2H-phthalazin-1-one hydrochloride with 1-(2-chloro-

ethanoyl)-pyrrolidine-2,5-dione in the presence of a base.

13. (Canceled)

14. (Currently amended) A pharmaceutical composition comprising ~~Pharmaceutical compositions~~ containing one or more compounds of formula I according to claim 1, or a pharmaceutically acceptable hydrate, solvate, salt, hydrate of a salt or solvate of a salt thereof, together with a suitable pharmaceutical auxiliary and/or excipient ~~the usual pharmaceutical auxiliaries and/or carrier materials.~~

15. - 16. (Canceled)

17. (Currently amended) A method for treating a disease treatable by the administration of a PDE4 inhibitor in a patient comprising administering to said patient in need thereof a therapeutically effective amount of a compound of formula I as claimed in claim 1, or a pharmaceutically acceptable hydrate, solvate, salt, hydrate of a salt or solvate of a salt thereof.

18. (Currently amended) A method for treating airway disorders in a patient comprising administering to said patient a therapeutically effective amount of a compound of formula I as claimed in claim 1, or a pharmaceutically acceptable hydrate, solvate, salt, hydrate of a salt or solvate of a salt thereof.

19. (New) A compound of formula I according to claim 2, in which the hydrogen atoms in the positions 4a and 8a are cis-configured, or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt thereof.

20. (New) A compound of formula I according to claim 2, in which the absolute configuration is S in the position 4a and R in the position 8a, or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt thereof.

21. (New) A compound of formula I according to claim 3, in which the hydrogen atoms in the positions 4a and 8a are cis-configured, or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt thereof.

22. (New) A compound of formula I according to claim 3, in which the absolute configuration is S in the position 4a and R in the position 8a, or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt thereof.

23. (New) A compound of formula I according to claim 4, in which the hydrogen atoms in the positions 4a and 8a are cis-configured, or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt thereof.

24. (New) A compound of formula I according to claim 4, in which the absolute configuration is S in the position 4a and R in the position 8a, or a hydrate, solvate, salt, hydrate of a salt or solvate of a salt thereof.